

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Anton F. Liverpool

Inmate # 155581

Intake center po. Box 8249

cranston RI 02920

Civil No: unassigned

Dated: 6-9-2020

A Complaint In Damages

V-

The city of New York

John doe #1 Warden of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens N.Y. 11370

John doe #2 Deputy Warden of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens N.Y. 11370

John doe #3 Watch tour commander of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens NY 11370

John doe #4 area supervising captain of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens NY 11370

officer Vaughn of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens NY 11370

John doe #5 officer John doe of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens NY 11370

John doe #6 officer John doe of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens NY 11370

John doe #7 officer John doe of Anna Kross correctional Rikers Island 1818 Hazen<sup>St</sup> Queens NY 11370

In their individual and official capacity

parties:

plaintiff

1) At all times herein mentioned the plaintiff Anton F. Liverpool (Liverpool) is and was an inmate incarcerated within and for the State of New York (the State) in the custody and care of the Department of corrections (D.O.C) for the State being housed at Rikers Island correctional Facility (Rikers) 1818 Hazen Street East Elmhurst, New York, 11370 Housing area 3upper

Defendant's

(2) At all times herein mentioned the defendant John Doe #1 is and was an employee of the city of New York at Rikers Island holding the rank and title of warden of Anna Kross correctional and is being sued in his or her individual and official capacity.

(3) At all times herein mentioned the defendant recognized as the city of New York is and was the agency/organization and municipal power under who policy color and employment all other defendant's were acting under and representative's of.

(4) At all times herein mentioned the defendant John Doe #2 is and was an employee of the city of New York employed at Rikers Island holding the rank of Deputy warden at Anna Kross correctional and is being sued herein in his or her individual and official capacity.

(5) At all times herein mentioned the defendant John Doe #3 is and was a correction officer at Rikers Island holding the rank of watch/tour commander and is being sued herein in his or her individual and official capacity.

(6) At all times herein mentioned the defendant John Doe #4 is and was a correction officer at Rikers Island holding the rank of captain and is being sued herein in his or her individual and official capacity.

(7) At all times herein mentioned the defendant officer Vaughn is and was a correction officer at Rikers Island holding the rank of correction officer and is being sued herein in her individual and official capacity.

(8) At all times herein mentioned defendant John doe<sup>#5</sup> is and was a correction officer at Rikers Island holding the rank of correctional officer and is being sued herein in his individual and official capacity.

(9) At all times herein mentioned defendant John doe<sup>#6</sup> is and was a correction officer at Rikers Island holding the rank of correctional officer and is being sued herein in his individual and official capacity.

(10) At all times herein mentioned defendant John doe<sup>#7</sup> is and was a correction officer at Rikers Island holding the rank of correctional officer and is being sued herein in his official and individual capacity. Count one:

(11) paragraphs numbering 1-10 are incorporated here by reference as if set forth at length and made a part hereof this first count.

(12) on or about July<sup>th</sup> to August 2018, Liverpool was at 1818 Hazen<sup>st</sup> Rikers Island housed (housed) in 3upper cell<sup>#30</sup> (the dark side).

(13) on or about 9:00pm (July<sup>th</sup>) John doe<sup>#6</sup> and John doe<sup>#7</sup> secured plaintiff in his cell area and neglected to properly secure other inmates such as inmate Jerome Bethune in their cell.

(14) on or about 11:00pm July<sup>th</sup> - August 2018 officer Vaughn and John doe<sup>#5</sup> (white male approx 6'11" tall about 220 lbs dark hair of Russian or European descent) came on to housing area 3upper for their regular 11:00pm - 7:00am post and failed to properly check and secure inmates in their cell and check for objects in cell doors that are regularly kept in lock's by inmates to

object's and inmates being secured in their cell's.

(19) On or about July 12<sup>th</sup> 2018 between the hours of 10:00<sup>PM</sup> - 3:00<sup>AM</sup> defendant John Doe<sup>#3</sup> failed to ensure the chain of command was followed in respects to officers properly inspecting lock's of cell doors of Bupper of Anna Kross correctional for obstructing object's and properly securing inmate's in their cell's.

(20) On or about July 12<sup>th</sup> 2018 between the hours of 11:00<sup>PM</sup> and 3:00<sup>AM</sup> defendant's known as officer Vaughn and officer John Doe<sup>#5</sup> violated department rules when they turned off all hallway light's (night light's) in housing area Bupper of the Anna Kross correctional facility (Kross Island) enabling an inmate (Jerome Bethe~~re~~) to move in the stealth of darkness after unlocking his unsecured cell and assault plaintiff (Liverpool) with D.O.C cleaning fluid's (liquid's) too his (Liverpool's) eye's by throwing said cleaning liquid's into plaintiff's eye's.

(21) The plaintiff was harmed, and injured by this assault with burning too his eyes with long lasting pain and irritation also impaired vision.

(22) The defendant's knew or should have known the plaintiff would be harmed, and injured as a direct, and proximate result of their actions of lack thereof (seeing also that this was not the first incident of such kind) (in housing area Bupper)

(23) The plaintiff was harmed, and injured including but not limited To:

A) suffered burning and irritation to the eyes for week's

B) suffered loss of much of his vision (temporarily) for day's

C) suffered long term vision impairment

D) Suffered psychological trauma through the ordeal of vulnerability (in knowing that this inmate (Jerome Bethelme) regularly made threats to plaintiff as did other inmates in reference to his (Liverpool) criminal charges in the presence of officer Vaughn Johnson<sup>#5</sup>, 5, 6, 7, and followed through on them

E) After prison officials became aware of a threat to Liverpool's (plaintiff's) safety in the west side of the jail (Due to plaintiff's criminal charges of sexual assault of which he was acquitted) he Liverpool was still kept in the jail by prison officials to be harassed threatened and assaulted by numerous inmates on a continuous basis. (resulting in the assault in 3 upper) (i.e. with no protective custody status being provided)

(24) Each defendant had a duty to protect the plaintiff from the actions of each of the other defendants and failed in his/her duty.

(25). Therefore plaintiff prays the court grant the following relief:

- A) compensatory damages of \$ 200,000.
- b) punitive damages of \$ 50,000.
- c) costs and attorney fees
- d) such other relief as this court deems just and equitable.

### Legal claims

(26). Defendant's actions constitute cruel, and unusual punishment in violation of the eight amendment to the United States Constitution, and Article one section five of the New York State Constitution.



Statement of Past Actions

(27). The Plaintiff has not brought any actions based on the facts alleged herein.

(28).

Jurisdiction

This action is brought to remedy the deprivation, under color of State law, of the plaintiff's rights guaranteed by the eight and fourteenth amendments to the United States Constitution and State of New York constitution provisions

(29).

Previously Dismissed Actions or Appeals

Plaintiff has not had any actions dismissed as frivolous, malicious or for failure to state a claim upon which relief may be granted

(30):

Jury Demand

Plaintiff requests a jury trial

(31).

Declaration under penalty of perjury

I hereby declare under penalty of perjury that I am the plaintiff in the above action, that I have read the above complaint and that the information therein is true and accurate to the best of my knowledge and belief. I understand that if I lie in this complaint I could be prosecuted for perjury and punished with as much as five (5) years in prison and/or fined up to \$250,000.

I therefore set forth my hand this the 9<sup>th</sup> day of June, 2020 executed at Cranston Rhode Island.

By Anton F. Liverpool

Anton F. Liverpool #155581

Intak center po Box 8249  
(02920) Cranston Rhode Island